

Board of Selectmen's Meeting Minutes

March 3, 2011

Harpswell Town Office

Approved on March 10, 2011

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Selectmen Present: James S. Henderson, Mark E. Wallace and Elinor Multer

Staff Present: Kristi Eiane, Town Administrator and Terri Sawyer, Deputy Town Administrator

Call to Order and Pledge of Allegiance: The meeting was called to order at 6:00 p.m.

The meeting was video recorded and broadcast live on Harpswell Community Television.

1. Adoption of the Agenda: Chairman Henderson moved, seconded by Selectman Wallace to adopt the agenda as printed; motion passed 3-0.

2. Administrative Matters: The Board's March meeting schedule was discussed and additional meetings, such as a MSAD 75 budget meeting on March 14 at 6:30 p.m., Meals on Wheels delivery day on March 23, and an ecomaine award luncheon on March 22 in honor of all the participating municipalities' awardees, including Donna Frisoli for Harpswell.

3. Public Comment: Linda Hall stated the Board established the West Harpswell School Re-Use Task Force at the February 17 meeting and asked if the group would be holding public hearings to solicit input. Chairman Henderson responded affirmatively and hopes that specific uses and supporting information for such uses will result from the group's work. Administrator Eiane clarified the Task Force will hold public forums and not hearings as the Selectmen is the body that holds hearings. Robert McIntyre explained that the first vote regarding withdrawal from MSAD #75 on June 14 is to establish a committee to develop a plan with all relevant details and the second vote will be to withdraw or not and requires a two-thirds majority vote for withdrawal. Joanne Rogers, MSAD School Board member, reviewed her current and past activities, including what committees and sub-committees she served on as a school board member. David Johnson, MSAD School Board member, reviewed his current and past activities, including what committees and sub-committees he served on as a school board member. Mr. Johnson stated current and past Harpswell representatives have always done their best including going to Augusta regarding the implementation of the EPS formula funding and rallying against substantial budget increases to Harpswell. Chairman Henderson asked Mr. Johnson if he will continue on the Tech 10 Committee once his School Board term ends in June; Mr. Johnson stated if asked, he would consider serving as a public member.

4. Town Administrator's Report: Administrator Eiane announced the Town Report for 2010 was delivered to the three post offices today and residents should be expecting them Saturday or Monday. The warrant is included in the Town Report but since the Board will likely add an article regarding Cedar Beach tonight, the public should view the final warrant on the Town's website. Administrator Eiane thanked Gina Perow for the Town Report cover photo and Linda Strickland and Terri Sawyer for their work on the report and the mailing process. Administrator Eiane reported the Town of Brunswick accepted the Town's offer to meet on March 8 and the Board will be naming a team for the meeting later in the agenda. Administrator Eiane reported the Town accepted the new pumper truck today as the Harpswell Neck Fire Chief, David Mercier, approved the condition and performance of the truck. The Town has a lease with the Harpswell Neck Fire Department which has provided insurance and now has possession of the truck. Administrator Eiane reported that Central Maine Power sent a letter stating that smart meters will be installed in Harpswell soon and its representative offered to attend a meeting to discuss the process; the Board agreed that would be useful.

5. Selectmen's Announcements: Selectman Multer stated she read in the paper that a new name may be picked for the Harpswell Islands School. She encourages the School Board to entertain the idea.

6. Consent Agenda: 1) Approval of the Minutes; 2) Set Date and Time for Resident and Non-Resident Commercial Shellfish Lotteries: Chairman Henderson moved, seconded by Selectman Wallace to approve the February 10 and February 17 minutes; motion passed 3-0. Selectman Multer moved, seconded by Selectman Wallace to approve the February 24 minutes; motion passed 2-0 (Chairman Henderson abstained). Chairman Henderson moved, seconded by Selectman Wallace to set March 31 at 6:30 p.m. for a resident commercial shellfish lottery and 7:00 p.m. for non-resident; motion passed 3-0.

7. Recreation Awards: Gina Perow, Recreation Director, stated that the Recreation Committee members were able to keep this year's recreation award recipient a secret and that she and the Committee would like to honor Tony Barrett. Tony Barrett has been a long standing member of the Recreation Committee, a bike guru, he is always willing to help in any way such as installing bike racks on Town properties. David Brooks, chair of Recreation Committee, stated that whenever there is work to be done on trails, Tony is there and he also helps the Town apply for and receive grants. Liz Bouve, former Recreation Director, stated Tony is very competent and listed many of his admirable qualities.

8. Public Hearing Re: Restricting Vehicle Weight on Posted Ways: Chairman Henderson stated the Town has an Ordinance restricting weight on public ways and that last year, the Board consulted with businesses to develop amendments to the Ordinance that would help protect Town roads without heavily impacting businesses. The hearing was opened at 7:08 p.m. Paul Hickey, of Ash Cove Lobster, stated the lobstering businesses could be negatively impacted by limiting fuel and bait deliveries. Chairman Henderson asked how his business was affected by last year's road postings; Mr. Hickey responded there wasn't much effect but that the potential exists. Selectman Wallace stated the Board worked very hard on a compromise last year and developed a chart limiting weight for certain axle vehicles, and businesses last year stated they could work within the limits. Given the amount of frost and the pending change in the weather with warmer conditions, the Town needs to protect its investment on roads. Selectman Wallace encouraged Mr. Hickey to read through the Ordinance. The hearing was closed at 7:15. Bob Venard, Road Commissioner, stated he believes the chart is a compromise and encouraged the Board to post the roads soon. The Board agreed to only post one sign at the entrance(s) of each road instead of at each end. Chairman Henderson moved, seconded by Selectman Wallace to post the Town roads as outlined in Attachment A from March 5 to April 15, 2011; motion passed 3-0.

9. Consider Supporting LD 553 An Act to Reduce Maine's Dependence on Oil: Deputy Administrator Sawyer stated that Nathaniel Meyer was unable to attend this evening but that he has attended two other meetings and has provided information for the Board's review tonight. Chairman Henderson stated he was prepared to support the bill and send a letter to the legislative delegation. He proposed amendments to the letter provided by Mr. Meyer. Selectman Wallace asked for confirmation that the bill is only proposing to have people study the options. Chairman Henderson responded yes that the law proposes to create a group to research the options and make recommendations on how to achieve the goals. Selectman Multer noted former Governor King has expressed that the goals are meager. Chairman Henderson moved, seconded by Selectman Wallace to go on record as supporting LD 553: An Act to Reduce Maine's Dependence on Oil and to send a letter, as modified, to the legislative delegation; motion passed 3-0.

10. Finalize 2011 Town Meeting Warrant

- **Consider Additional Article Regarding Cedar Beach:** Administrator Eiane explained the warrant version supplied to the Board on Tuesday proposed an article regarding Cedar Beach as article 20A. Since then, Administrator Eiane spoke with the Town's proposed moderator, John Loyd, and he suggested it be placed at the end. Mr. Loyd has agreed to entertain a motion to consider the article early at approximately 11:00 a.m. The Town Attorney will be in attendance for the article discussion as well. Administrator Eiane reviewed the proposed article and stated the Budget Advisory Committee reviewed it today and voted to not support it at the \$950,000 level. The Board requested

that a mini history be prepared for the public, including the Town's and the Abrahamson's appraisal amount. Chairman Henderson moved, seconded by Selectman Multer to add article 75 regarding Cedar Beach with the recommendation to move the article at about 11:00 a.m.; motion passed 3-0.

- **Consider Change to Debt Service Article:** Administrator Eiane reviewed Article 56 Debt Service and how it has been changed to "see what sum" with an explanatory note stating that the proposed debt service is \$433,500 without Cedar Beach but that amount could be increased by up to \$20,000 if an amount is passed for Cedar Beach. The Board asked if it would like to recommend a specific amount or remove its recommendation. Chairman Henderson suggested remaining with \$433,500 for recommendation. Marguerite Kelly, Treasurer, suggested it would be illogical to recommend an amount without knowing what amount, if any, may pass for Cedar Beach. Chairman Henderson stated the Board could change its recommendation during Town Meeting and that the road borrowing article presents the same issue. The Board concurred with a recommendation for \$433,500.
- **Consider Maximum Number of Years for Lease Term Article RE: Mitchell Field:** Administrator Eiane reported that staff consulted with MCOG and others with experience regarding business leases, including Curt Lebel, and generally the suggestions were to enter a lease for at least 30 years as a business will have a substantial investment and possibly a corresponding mortgage or financing for 30 years. The Board concurred with 30 years. Selectman Multer asked if we knew how many years were associated with federal grants; Administrator Eiane responded that any grant application would likely require the security of a long-term lease. Chairman Henderson moved, seconded by Selectman Wallace to amend article 14 to insert 30 years; motion passed 3-0. Selectman Multer moved, seconded by Chairman Henderson to approve the final warrant as presented; motion passed 3-0.

11. Consider Naming 3-5 Member Team and Establishing Its Authority to Meet with Brunswick Representatives Regarding Town Line Boundary: Chairman Henderson stated he understood that one member of the Carrying Place Assembly that the Board may want on its team will not be available for the March 8 meeting with Brunswick but Chairman Henderson preferred proceeding with the meeting. Selectman Multer spoke against meeting without John Loyd as he is a key member and she suggested meeting on another date. Chairman Henderson stated he preferred proceeding with the March 8 meeting date as Harpswell invited Brunswick for that date and the initial meeting is to listen to initial concerns regarding Harpswell's proposal. Chairman Henderson moved to invite the Town Attorney to attend the March 8 meeting and to appoint Chairman Henderson, Administrator Eiane and Carrying Place Assembly member, Amy Haible as an alternate to John Loyd with the understanding that no final decision will be made at this initial meeting. Selectman Multer is concerned that Brunswick will raise questions regarding the historical data and the Town Attorney will not be as familiar as John Loyd would be. Chairman Henderson responded that if that is done, he is prepared to say that the issue was already put to the Committee and that it is the intent of the meetings between the towns to arrive to an agreeable solution regarding the boundary. Selectman Wallace seconded the motion. The motion passed 3-0.

12. Appointments: Chairman Henderson moved, seconded by Selectman Wallace to appoint Catherine Doughty as Warden and Megan Hubbard as Deputy Warden for March 12; motion passed 3-0.

13. Renewal Liquor License for Cook's Lobster House, Map 26, Lot 2: Chairman Henderson moved, seconded by Selectman Multer to approve the renewal license; motion passed 3-0.

14. Other Business: Selectman Multer stated she wishes to delegate the authority to close the offices due to inclement weather or other urgent situations to the Administrator instead of having to check with the Selectmen. Administrator Eiane stated the policy gives the authority to the Selectmen or designee and that it has traditionally been the Selectmen. Selectman Multer moved, seconded by Selectman Wallace to

designate the Town Administrator or, at her discretion, the Deputy Administrator to close the offices when weather or other conditions dictate; motion passed 3-0.

15. Authorization of the Warrant: Chairman Henderson moved, seconded by Selectman Wallace to authorize warrant #15 in the amount of \$117,106.14; motion passed 3-0. Chairman Henderson moved, seconded by Selectman Multer to authorize warrant #16 in the amount of \$1,507.68; motion passed 2-0 (Selectman Wallace abstained). Selectman Wallace moved, seconded by Selectman Multer to authorize warrant #17 in an amount not to exceed \$750.00 to mail the Town Report; motion passed 3-0. Payroll warrant #9 in the amount of \$13,480.91 was noted for the record.

16. Public Comment: Bob Venard, Road Commissioner, stated it was a pleasure to work with Selectman Wallace and thanked him for serving.

17. Adjournment: The meeting was adjourned at 7:40 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments:

[Attachments are available at the Town Clerk's Office or by email at harpwell@town.harpwell.me.us]